

**REMARKS/ARGUMENTS**

Claims 1-28 are currently pending in this application. Claim 21 has been amended to correct a typographical error, replacing "computed" with "compute".

**Allowable Subject Matter**

The Examiner is thanked for indicating that claims 12-28 contain allowable subject matter.

**Claim Rejections - 35 USC § 103**

Claims 1-7 stand rejected under 35 USC 103(a) as being unpatentable over US 2002/0128031 (Valkealahti) in view of US 2003/0144019 (Nelson et al.).

Applicants disagree. The Examiner has found that independent claims 12, 15 and 21 are allowable. Applicants argue that claim 1 is allowable for the same reason, in that neither Valkealahti nor Nelson teach a computation of a bias error as claimed.

Valkealahti at paragraph 31 includes the following statement: "To compensate for a *possible* bias, the ebno parameter (E) could be regularly adjusted so that it is slightly increased when a frame error is detected." This ebno parameter E is defined in par. 29 as "the ratio "E" between received bit energy and received total interference density required for proper signal decoding." This value is not to be confused with bias error, nor is it used to calculate a bias error. Valkealahti

discloses that the E parameter can be adjusted in response to detected errors. This includes the assumption that frame errors are the result of a *possible* bias error. In contrast, the claimed invention according to claim 1, includes a step of computing a bias value based on cumulative characteristics of received data set signals.

In a second distinction, claim 1 includes a limitation that forward channel power is adjusted as a function of the most recently computed bias error value. This limitation is not taught or suggested by the combination of Valkealahti and Nelson, as an extension of the above argument: neither reference teaches or suggests computing a bias error value.

Claims 2-7 are dependent upon claim 1, which the Applicants believe is allowable over the cited prior art of record for the same reasons provided above.

Based on the arguments presented above, withdrawal of the 35 USC 103(a) rejection of claims 1-7 is respectfully requested.

### **Claim objections**

Claims 8-11 are rejected as being dependent on a rejected base claim. Based on the arguments presented above for base claim 1, claims 8-11 are allowable.

**Applicant:** Koo et al.  
**Application No.:** 10/721,482

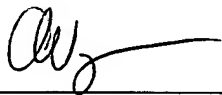
**Conclusion**

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1-28, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Koo et al.

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Enclosure